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# Law Enforcement & Domestic Violence Training

A Literature Review: 2014

HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

Systems & Communities Department  
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# Law Enforcement & Domestic Violence Training

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## Introduction

This report is designed to provide a review of the available literature pertaining to domestic violence training for law enforcement agencies in the US. This review is not exhaustive, as research relied upon accessible information via internet, phone and email responses. The review will show that results varied along a continuum, as some states enacted laws to provide parameters on development of policy, procedure and training; others worked directly with law enforcement agencies within a designated county or state. Most law enforcement agencies are working in collaboration with domestic violence coalitions and agencies to develop policy, curriculum and materials, and some have chosen to include requirements for experts from the domestic violence service providers to provide the trainings. This report also includes multidisciplinary initiatives formed by law enforcement and domestic violence service providers.

## Required Hours of Domestic Violence Specific Training

Law enforcement agencies often require a variety of training topics for new recruits and continuing education, and often domestic violence is a section of the overall required hours of training. However, quite a few states have specific policies regarding minimum hours of domestic violence specific training. Required hours were reported within a range of 4-65 hours. Training hours are also varied between general law enforcement officers and domestic violence teams/units. If an officer belongs to a response team or specialized unit, required hours of training tend toward the higher end of the scale – often 40 plus hours at minimum. As an example, Domestic Abuse Response Teams, or DART (comprised of advocates, volunteers and law enforcement officers) in New Jersey receive initial training of 40 hours. The DART teams in Los Angeles receive 65 hours of training initially.

Many other states focus on annual hours of training, including South Dakota law enforcement, which requires 8 hours initial training and 4 hours continuing education annually. New Jersey law enforcement also requires 4 hours annual training for all police officers as required by the New Jersey Prevention of Domestic Violence Act. Both Massachusetts and Vermont law enforcement requires 8 hours initial training and Vermont requires additional annual 4 hours training to maintain the officers' certification by the Vermont Criminal Justice Training Council. Nebraska and Florida law enforcement policies both require 12 hours training for recruits, while Ohio requires 15 hours.

Some states do not focus on a statewide standard for required hours for training. Maryland does not have a standardized requirement by law but does have existing policies through the Maryland Law Enforcement Training Commission to receive 8 hours of domestic violence specific curriculum in all training academies. Also, Utah does not have a standard across the state but their law enforcement agencies participate in the Utah Domestic Violence Coalition trainings, which include a 3-day basic training and follow-up trainings provided via 1-day in service to individual departments.

## Topics for Domestic Violence Training

Most states with either state statute or law enforcement agency policies on training for domestic violence specify the topics that must be covered in law enforcement training. Massachusetts, New Jersey, Maryland, Vermont, Arizona, Nebraska and Florida all have specific policies on content of domestic violence trainings for law enforcement.

The training topics included in almost all existing policies/laws:

- State laws relating to domestic violence
- Legal duties of officers to make arrests and offer protection and assistance
- Guidelines for making arrests (or mandatory arrest)
- Verification and enforcement of restraining orders
- Techniques for promoting victim and officer safety
  - Responding on scene
  - Interviewing techniques specific to domestic violence
- Understanding dynamics of domestic violence
  - Content knowledge
  - Assessment of primary aggressor status
  - Lethality assessment
- Victim assistance and support – resources and services/facilities available
  - Victims' rights
  - Coordination with local agencies to provide shelter, emergency and counseling/legal services
  - Medical care
- Documentation, report writing and evidence collection
  - Proper/appropriate investigation techniques
- Related issues
  - Tenancy/custody issues
  - Impact of law enforcement intervention on children
  - Firearms
  - Assumption of victims not testifying due to fear of offender/impact on lives – preparation for evidence-based prosecution

Many of the training policies convey the integral aspects of how training is provided. Trainings needed to include information delivery, review of law enforcement reports from domestic violence calls, validated testing, providing administrative support, and role-playing appropriate and inappropriate responses in conjunction with domestic violence advocates. These were considered essential to change knowledge, attitudes and the behavior of law enforcement officers responding to domestic violence. Vital to this process was the formation of curriculum and materials and the choice of trainers.

## Domestic Violence Training Providers and Curriculum

In almost all states, the law enforcement agencies specified that their curriculum, materials and trainers would be sourced from domestic violence coalitions and agencies. Some states have laws that mandate the establishment of domestic violence councils that provide regular (annual) review and updates to existing law enforcement policies and curriculum/materials for training. Many policies also state that training must be provided by domestic violence coalition or advocates from domestic violence agencies and shelters, all recognized as domestic violence experts.



In addition to the existing state domestic violence councils, many law enforcement agencies have developed domestic violence units that ensure domestic violence training and updates are provided to all officers in their department. Dallas, Beverly Massachusetts, and El Paso Texas police departments all have their own specialized domestic violence units that closely partner with their councils to coordinate efforts and resources.

### Training & Policies

Many states have laws mandating the creation of specific protocols for officers to respond to domestic violence and include response protocols as integral to domestic violence training for law enforcement agencies. Other states have adopted agency-wide policies of the same nature. Included is an overview of the content that is mandated by policy or law in Florida, California, Michigan, North Dakota, and St Louis Minnesota.

The primary focus of the policies are active intervention by law enforcement in the form of pro-arrest policies and thorough evidence based investigations that do not rely on victim testimony as the most effective means for law enforcement to address domestic violence. The policies are also created with the understanding that though officers should approach domestic violence as they would other crimes, the relationship between the victim and the perpetrator creates additional responsibilities for safety, confidentiality, assistance and information on victims' rights and services available. All of the policies reviewed strongly encouraged or mandated close collaboration with domestic violence advocacy organizations and groups in the formation and revision of these policies and training.

Each of the policies also covered specific protocols and reporting in the instance of officer-involved domestic violence (OIDV). Efforts to address the issue of OIDV include extensive employee domestic violence training to officers, full examination of background of prospective officers prior to hire, mandatory full investigation of any domestic violence allegations against law enforcement agency employees - including criminal investigation and administrative investigation; and an immediate response to any allegation against employees that is transparent to the victim and community.

Commonly required protocols for responding to a domestic violence call include:

- Assessment tools/skills required: assessing the predominant aggressor, lethality assessment, assessing for strangulation, stalking, sexual abuse, etc.
- Enforcement of protection orders
- What factors should and should not influence officers' decision to investigate or arrest in domestic violence incidents. (i.e. elements of the crime should influence the decision. Relationship/marital status/immigration status, gender, tenancy, protective orders, verbal assurances, complainant's emotional state or sobriety, non-visible injuries, speculation on if the complainant will participate in the criminal justice process/if the arrest may not lead to a conviction, etc. should not influence officers' decisions)
- The interview process and specific skills needed in domestic violence situations
- Guidelines for making an arrest/mandated arrest
- Responding to a victim/speaking with a victim
  - Policies often specify what officers should not say, including statements discouraging a victim from reporting or requesting an arrest. Also specified in policy is that officers should not advise victims that they have the authority to "press" charges or "drop" charges – the decision to prosecute is made by the District Attorney/Prosecutor's Office.
  - Victim and assailant behaviors
  - Consequences for victims
    - When leaving a domestic violence relationship
    - When participating in prosecution

- Preparing a report - documentation
- Investigation/collecting evidence not reliant on victim testimony.
- Responding to officer-involved domestic violence
  - Early warning and intervention
  - Incident response procedures
  - Victim safety and protection
  - Collaboration with victim advocacy agencies
  - Administrative policy on supervisory oversight of officer-involved domestic violence, including post incident administrative and criminal decision guidelines

### Related Law Enforcement Initiatives & Trainings

Many counties and states across the US have chosen to create a coordinated response to domestic violence. These responses usually include strong policies in the state law or law enforcement agencies on how to respond to domestic violence as well as institutionalizing practices that integrate domestic violence advocacy teams into law enforcement response.

Salem Oregon Police Department created a domestic violence response team in 1997 and is comprised of paid advocates, volunteer advocates and 15 domestic violence-specific officers – all who are highly trained to respond to domestic violence. The team responds to 24 hour calls and provides on-scene crisis intervention response to victims.

In New Jersey, 16 out of 21 counties (over 75% of the state) have domestic violence response teams specifically trained to respond to domestic violence calls 24 hours a day. A team of trained advocates, volunteers and officers meet on-scene to provide assessment and support to victims. All team members are trained at a minimum of 40 hours initial training.

The Mesa Arizona Police Department has a Center Against Family Violence, which houses all services for crimes related to domestic violence and includes police detectives, Stopping Abuse in Families (SAIF) team, medical staff, victim services team, child protective services, adult probation, and a child forensic interviewer. All of the team components within the Center collaborate on incoming cases. The detectives provide lead on investigations, the SAIF team are a detective and civilian victim specialist who provide victim/suspect interventions on-scene, the medical staff and child forensic interviewer provide examinations and reports, and the victim services team connects victims and their children to appropriate support services and facilities.

The Los Angeles Police Department has a DART (Domestic Abuse Response Team) that is comprised of officers and advocates trained by the organization Peace Over Violence. Both officers and counselor advocates receive extensive training on domestic violence. Trainings include an initial, state-certified training course of 65 hours and include domestic violence and crisis intervention training. After the initial training, there are ongoing monthly trainings for the DART team members. The DART team responds on-scene with advocates to provide assessment and support services to victims and their children.

The Maryland Network Against Domestic Violence created their Lethality Assessment Program (LAP) in 2005 as an innovative strategy to prevent domestic violence homicides. The program created an accessible tool to identify victims who are at high risk for being seriously injured or killed by their intimate partners and immediately connect



them to the appropriate domestic violence services. As of 2013, the coalition has trained 100% of law enforcement agencies across the state to utilize the tool. Trainings come with specific information on utilizing the tool and creating policies for implementation in law enforcement agencies. All law enforcement agencies in Maryland have created department-wide policies mandating implementation of the LAP tool when responding to domestic violence calls. As a result, Maryland has seen their homicide rate drop by 1/3 and has improved partnerships and collaboration among law enforcement officers and domestic violence service providers.

### **Domestic Violence, Law Enforcement and State Laws**

Though there are a number of federal and state laws pertaining to protections provided against domestic violence, various states across the US have chosen to enact additional laws governing their law enforcement response to domestic violence. New Jersey has enacted state laws that specify exact procedures for police officers responding on scene to ensure victims' rights and due notice of legal options and safety resources. New Jersey's laws include mandatory arrest for domestic violence as well as annual domestic violence-specific training for all police officers. Massachusetts has statutes that require minimum standards for domestic violence training for all law enforcement and specify that the trainings must be created and trained by domestic violence experts. Florida has developed minimum training requirements for domestic violence and has also specified the requirement for law enforcement agencies to develop policies and procedures for responding to domestic violence that include determination of the primary aggressor, responsibilities of law enforcement, legal rights of victims, documentation, tenancy, law enforcement intervention impact on victims and children, resources for victims, protection order enforcement, and officer-involved domestic violence.

North Dakota enacted statutes requiring law enforcement to collaborate with state/local domestic violence agencies and other states with successful implementation in their development of domestic violence procedures and training. The statutes include the necessity of transparency between law enforcement and domestic violence agencies, and specify that law enforcement agencies must provide departmental policies, procedures and protocols when requested by any victim advocacy organization or domestic violence coalition and must be willing to provide information sessions on the department's implementation of these policies. The statute also specified that domestic violence training must be provided to all personnel of law enforcement agencies periodically with a review of current directives and discussion of implementation practices.

### **Conclusion**

This report focused on recognizing the systems created to support domestic violence training and policy in law enforcement agencies. Though individual counties and states have varied responses, the report demonstrates an overall perspective of necessary structure within law enforcement agencies to address domestic violence. Primary focus is on content, not hours of training; specifically policy on officers' response and investigation of domestic violence incidents, including a strong response to incidents of officer-involved domestic violence. This report recognizes that law enforcement responses in isolation are seldom effective in reducing domestic violence but many of the initiatives exemplified here present a key component to creating a comprehensive and collaborative community approach to addressing domestic violence.

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